

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

)	
UNITED STATES OF AMERICA,)	
)	
and)	
)	
THE STATE OF INDIANA,)	
)	
Plaintiffs)	
)	
v.)	Civil Action No. 3:20-cv-202-RLY-MPB
)	
INDIANAPOLIS POWER & LIGHT)	
COMPANY,)	
)	
Defendant.)	
)	

NOTICE OF LODGING OF PROPOSED CONSENT DECREE

Plaintiff, the United States of America, on behalf of the United States Environmental Protection Agency, and co-Plaintiff, the State of Indiana, by the authority of the Attorney General of Indiana, acting at the request of the Indiana Department of Environmental Management (collectively, Plaintiffs), respectfully lodge the proposed Consent Decree, attached hereto, under Section 113(b) of the Clean Air Act, 42 U.S.C. § 7413(b), between Plaintiffs and Settling Defendant Indianapolis Power & Light Company (IPL). The proposed Consent Decree would resolve Plaintiffs' claims, alleged in the Complaint against Settling Defendant filed today in this action, for Settling Defendant's alleged violations of the Clean Air Act and related State laws at its fossil fuel-fired steam electric plant, known as the Petersburg Generating Station, in Pike County, Indiana.

Consistent with Department of Justice regulations (28 C.F.R. § 50.7), the United States is inviting the public to comment on the proposed Consent Decree for a period of thirty days before seeking judicial approval. The public comment period will begin upon publication of a notice in the Federal Register. Upon expiration of that comment period, the United States will advise the Court of any comments received and of the United States' position as to whether the proposed Decree should be approved and entered by this Court. The United States may withhold its consent to the proposed Consent Decree if the comments disclose facts or considerations that indicate that the proposed Decree is improper, inappropriate, inadequate, or not in the public interest.

The United States respectfully requests that the Court await, before considering whether to approve and enter the proposed Decree as an order of this Court, a subsequent submission by the United States regarding any comments received during the public comment period and the United States' position regarding entry of the proposed Consent Decree.

Respectfully Submitted,

JONATHAN D. BRIGHTBILL
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U.S. Department of Justice

s/Arnold S. Rosenthal
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FOR THE STATE OF INDIANA

OFFICE OF THE INDIANA ATTORNEY
GENERAL

s/Zachary D. Price

ZACHARY D. PRICE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of August, 2020, a copy of the foregoing *Notice of Lodging of Proposed Consent Decree* was filed electronically using the Court's ECF filing system. Service of this filing will be sent via electronic mail to counsel for IPL, as per Defendant's permission, as follows:

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s/Arnold S. Rosenthal
Arnold S. Rosenthal